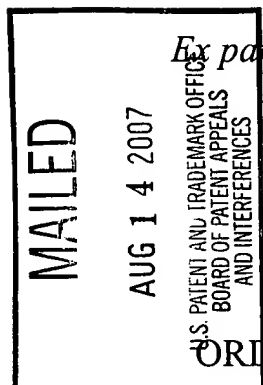


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES



Ex parte MICHAEL A. GREENBERG, CHRISTIAN A.S. PENSA, and
PATRICK ZAOUTER

Application 09/922,240
Technology Center 2100

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on July 31, 2007. A review has revealed that the application is not ready for docketing as an appeal. Accordingly, this application is herewith being returned to the Examiner. The matter requiring attention prior to docketing is identified below:

On June 21, 2006, an Examiner's Answer was entered into the record. In the Evidence Relied Upon section, p. 2, paragraph 8, the Examiner has failed to list O'Neil (U.S. 6,219,653) as applied in the statement of rejection in the Grounds of Rejection, paragraph 9, of the Examiner's Answer.

Before further review, the Examiner must mail a PTOL-90 that will include in the amended Evidence Relied Upon section, a listing of *all* references mentioned in the Grounds of Rejection, paragraph 9. *See the Manual of Patent Examining Procedure (MPEP) § 1207.02.*

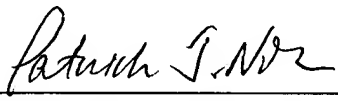
Application 09/922,240

Accordingly, it is *ORDERED* that the application is returned to the Examiner:

(1) to issue and mail a PTOL-90 which shall include *all* references mentioned in paragraph 9 (Grounds of Rejection), in accordance with the above instruction; and

(2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 
PATRICK J. NOLAN
Deputy Chief Appeals Administrator
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PJN/hh